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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 10206/2024

ANOOP KUMAR AND & ORS.Petitioners

Through: Mr. Pujya Kumar Singh, Adv.
Petitioners in person.

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR.....Respondents

Through: Mr. Hitesh Wali, APP for State with SI
Khushbu Singh PS Laxmi Nagar
Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

14.02.2025

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1. The present petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.727/2016 under Sections 498A/506/406/34 IPC registered at Police Station Shakarpur and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.

2. Notice in the petition was issued *vide* order dated 24.12.2024. The learned APP for the State submits that since the FIR is an outcome of a matrimonial dispute and the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.

3. The petitioner no.1 (former husband), petitioner nos. 2 and 3, who are close relatives of petitioner no.1, as well as, respondent no. 2 (former wife)



are present in the Court and they have been identified by learned counsel for the petitioner, as well as, by the Investigating Officer SI Khushbu Singh PS Laxmi Nagar.

4. The learned counsel for the petitioner submits that in the FIR four persons were arraigned as accused. However, father-in-law of the respondent no.2 has passed away, therefore, the present petition has been filed by the remaining three accused persons.

5. The brief facts of the case are that the marriage between the petitioner no.1 and respondent no. 2 was solemnized on 12.12.2015 according to Hindu Rites and Customs. Out of the said wedlock, no child was born.

6. On account of temperamental issues certain disputes arose between the parties and they started living separately w.e.f. 05.01.2016. The dispute between the parties also led to the registration of present FIR.

7. During the pendency of the proceedings, the parties were referred to Delhi Mediation Centre, Karkardooma Courts, Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of Settlement dated 02.05.2022, which is annexed as Annexure P-4 to the present petition.

8. In terms of the said settlement, the parties decided to dissolve their marriage by filing a petition for divorce by way of mutual consent. Accordingly, the petitioner no.1 and respondent no.2 have obtained a decree of divorce dated 23.11.2022, which is annexed as Annexure P-5 to the present petition.

9. It is a term of the settlement that the respondent no.2 has waived of all her claims on account of *streedhan*, permanent alimony, dowry articles, maintenance (past, present and future) etc.

10. The respondent no.2, on a query posed by the Court, states that she has



no objection in case the FIR is quashed.

11. In view of the fact that the parties have arrived at a settlement, no useful purpose will be served in continuing the proceedings, rather the same would create further acrimony between them.

12. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

13. Consequently, the petition is allowed and the FIR No.727/2016 under Sections 498A/506/406/34 IPC registered at Police Station Shakarpur alongwith all other proceedings emanating therefrom, is quashed.

14. The petition stands disposed of in the above terms.

15. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

FEBRUARY 14, 2025

N.S. ASWAL